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SPEECH OF MR. DANA, OF MAINE.

In Senate, Jan. 12 and 13, 1837.—On the
Expunging Resolution.

MR. PRESIDENT: Having so recently taken a seat in this chamber, and having neither inclination nor skill for public debate, I should most gladly have given a silent vote on this subject; but, sir, the citizens of the State which I represent, in connection with my colleague, have the honor to represent, take a deep and lively interest in this question, and I should be thought remiss in my duty, and regardless of their feelings, were I to remain silent upon it. Maine, sir, is at one extremity of the Union, in a high latitude and cold climate; but sir, she has a fertile soil, immense forests of timber, with her thousand streams to bear it to the ocean; she is a border State, skirted by the dominions of his Britannic Majesty; she has a large territory (if she was permitted to enjoy it) and a boundless seaboard, indented with numberless bays and harbors, filled with ship yards, ships, and co-necting; these lead her citizens to an intercourse with the subjects of their royal neighbor, and by them we are told that we have no Government; that our "King is deposed," that our President has been tried and condemned by our Senate, and that soon we shall come under the dominion of their King. However gratifying this "thought may be to some in our Union, it has but few advocates with us. This leads the hardy, independent, inquisitive citizens of the East to inquire what has our beloved President done? Is it true that the Senate have condemned him? Can it be, that he, who has triumphantly carried us through so many perils, and always been the people's friend, has betrayed us at last? Let us look into it; let us examine the subject! With this inquiring spirit, so peculiar to the people of the North, my constituents will be satisfied with nothing short of a fair and full investigation of the subject, and a just and impartial decision of the same. And that I may more readily come to the investigation of it, and not wander from it, I ask permission to have the resolution of March 28, 1834, read from the desk.

This resolution (in these words, "Resolved, That the President, in the late proceeding in relation to the revenue, has assumed on himself authority and power not conferred by the Constitution and laws, but in derogation of both,") holds up the President to the people as an usurper; a violator of that constitution which he has sworn to support.

My first inquiry, Mr. President, is, how was this resolution passed? In what capacity did this honorable Senate act when they passed it? This body has a legislative and Executive character, and, in one instance, and in one alone, a judicial character, viz: the trying of impeachments. Although the Senate has a legislative character, yet it is presumed that this body would act in that capacity only on subjects of legislation. And that surely could not be such; there is no matter on which legislative action could be had. If the President was guilty of a violation of the constitution and laws, if he had committed high crimes and misdemeanors, no legislation would reach him; he must be tried by the constitution and the laws, as they existed at the time of his supposed offence. To me it is clear that this honorable body had no legislative jurisdiction on this subject. Did they then act in their Executive capacity? No, sir, for the records show no such proceedings in the Executive business. He must have been tried, then, by this honorable Senate in their judicial capacity; and this body has the sole power to try all indictments given by the Constitution, and when sitting for that purpose, in their judicial character. The rules of procedure, as adopted December 31, 1801, in this honorable Senate, to be observed in cases of impeachment, require "that at 12 o'clock of the day appointed for the trial of the impeachment, the legislative and executive business shall be suspended," and the Secretary shall then administer the following oaths to the president of the Senate:—You solemnly swear (or affirm) that in all things appertaining to the trial on the impeachment of ———, you will do impartial justice according to the Constitution and laws of the United States; and the President shall administer the said oaths to each Senator present." This clearly shows, Mr. President, the views which this honorable body had heretofore entertained of their own powers, and at a time too when they were cool and dispassionate, and about to exercise their high judicial functions. Here sir, you find an important fact, that the Senate never did exercise their legislative and judicial functions at the same time; they are distinct in their natures, and have ever been so considered by this honorable body, and so exercised by them until the 28th of March, 1834, when, for some purpose, of which I will

not now speak, for the first time, (and God grant that it may be for the last) the legislative and judicial functions of this body, contrary to their own rules of procedure, and in violation of the constitution, were exercised at one and the same time and a judicial sentence is clothed in legislative language. If the object was, sir, to bring a bold offender to justice, why not pursue the legal and constitutional course? Why violate both? But if the object was to exhibit the President as a daring usurper, and unworthy of the confidence of the people, this scheme, this project, would seem to have been the most probable to accomplish it. But it has failed, totally failed.

Again, sir, another rule of this body, adopted at the same time as the former, requires that a summons shall be issued to the person accused, which summons shall be signed by their Secretary, sealed with their seal, and served by their Sergeant-at-arms. This rule also shows clearly that this honorable body never contemplated the exercise of their legislative and judicial functions at the same time. Then, sir, if this position is correct, the sentence of condemnation contained in this resolution is a judicial act, and could only have been done by a judicial tribunal.

Again, sir, it is the right of the accused to have the offence with which he is charged, clearly set forth, and to be duly notified of the time and place of trial; to have an opportunity to appear before this august tribunal, hear the allegations and proofs against him, and confront his accusers, face to face, and then to make his defence. Now, Mr. President, let me ask, when the chief Magistrate of this nation was condemned, in the resolution proposed to be expunged, did this body suspend legislative and executive business? Did they organize themselves as a judicial tribunal? Did the President of the Senate take the above oath prescribed by the rules of this honorable body? Did he administer the same to the Senators present? Was the accused furnished with a full and clear description of the charges brought against him? Was he notified of the time and place of trial? And was he permitted to face his accusers? If not, then, sir, permit me to ask, has he been tried by the rules prescribed by this honorable body? No, sir, he has been tried and condemned for a violation of the constitution and laws of his country, which he had sworn to support, contrary to our own rules—rules which this body had adopted for the trial of such offenders as he is accused of being.

Mr. President: Having shown that the President was tried and condemned without form, I will now inquire if he has been tried according to the provisions of the Constitution and laws of our country? In what cases, let me ask, can this honorable Senate act in their judicial capacity? Let the constitution answer. "The Senate shall have the sole power to try all impeachments," and that instrument conveys to this body no authority to try except in cases of impeachment. Here is the extent of our power, and here is our authority limited. Yes, sir, we can try impeachments, and impeachments only; but, sir, can the Senate originate impeachments? No, sir, they cannot. The constitution has declared, in so many words, "that the House of Representatives shall have the sole power of impeachment." Have they exercised that power? Have they accused the President of "assuming on himself authority and power not conferred by the Constitution and laws, and in derogation of both?" Have they impeached him for so doing? Where is the evidence of it? Have they notified the Senate of such impeachment? No, sir, they have not done it. The impeaching power has never acted in this case. They have not accused the President of any offence whatever. When, then, sir, I ask is our jurisdiction? We have no power until the House, the accusing power, have impeached; none at all; not the shadow of any jurisdiction. Can it be, sir, that without even the forms prescribed by this honorable body, without an impeachment, without an accusation of any kind, we have assumed jurisdiction, tried and condemned the President of the United States for a violation of the Constitution and laws of his country? And shall this resolution remain on our journals, or shall it be expunged? Can this be done? Has the Senate a right to do it? There is no rule of more general application than this. The power which creates can destroy—the power which puts up, can put down—and why should not this rule apply as well to records as to all other cases? Unless, sir, it should be a record of tested rights, about which we have been so highly entertained; and I cannot perceive that there are any tested rights contained in this resolution. I thank the accused will claim none in this case.

I apprehend, sir, that every legislative, executive, and judicial body, have a right to alter, strike out, insert, erase, correct, and amend their records. It is an inherent, essential power, without which such bodies could not exist, and transact the business. Is there a time limited, within which such alterations and amendments should be made? If so, when is the time? A day? A month? A year? In the history of records, no such limit is fixed. I trust, then, sir, such alterations may be made at the time deemed most proper by the body

to which they belong. If, then, sir, such bodies have their records under their own control, why may they not erase, blot out, expunge, at pleasure? Is there any particular form or manner in which this shall be done? None. Then, sir, if there is no particular time limited for doing this, nor any manner prescribed in which it must be done, the time when, and the manner of doing it, are at the pleasure of the bodies to whom the records belong. If, then, we have the power to expunge this resolution, is it expedient so to do?

JANUARY 13.—Mr. President, in the remarks which I had the honor to submit, yesterday, on this subject, I endeavored to show that the resolution now proposed to be expunged, was unconstitutional and informal, and that the honorable Senate had a right to amend, alter, correct or expunge it at such a time and such a manner, as they should think proper. If Mr. President, I have succeeded in this; one question only remains to be discussed, viz: is it expedient to expunge the resolution? In reply to the honorable gentleman from Kentucky, (Mr. Crittenden,) I would say, I would not expunge it merely because the Senate have the power so to do, nor from party motives, nor for the triumphs of party, but from a solemn sense of duty I owe to the country, to the President, and to the honorable Senate of the United States. I would expunge it sir, because the resolution bears on its face a contradiction, judicial sentence found on a legislative journal; and no evidence that it came from a judicial tribunal. It is a sui generis case—it is a grotesque on judicial trials—it has no parallel: the like is not to be found in the annals of our country. No, sir, not even the trials among our pilgrim fathers at Salem can compare with this case; their fanaticism triumphed over right, and the innocent fell victims to the prevailing delusion; but even there the accused enjoyed privileges, of which the President was denied. The accusations were known to them; a time and place of hearing was assigned, and the accused had an opportunity of confronting the accusers and his witnesses face to face, and the trial was had before a competent tribunal.

These trials, which cast so much reproach on our jurists, bear no comparison to the one under consideration. Nor does this sentence in the resolution, bear any comparison with the summary judgment and execution of that relentless tyrant who stalks through our streets, carrying in his train terror and dismay. There, sir, public indignation burst forth with fire (ever to be dreaded), but soon subsiding. Here, sir, the worm the canker-worm, is at the heart of the constitution. Yes sir, in this hall, this citadel of the constitutional rights; in this temple, within the veil, the judicial crime has been stained, the Constitution violated, and a blot cast upon our national escutcheon; a blot which many waters cannot wash out, nor many years efface. What then shall be done? Let us expunge the resolution. Not sir, because it detracts from the character of the President, or will in any way effect it. His reputation, his fame is imperishable. He lives in the hearts and affections of the present generation; and history will place him beside the Founder of our Republic, and after ages will hail him as the savior of his life. ANDREW JACKSON has no equal, his whole life is a miracle. See him in youth, in a strange land. Examine him in every stage of his existence, and we are impelled to exclaim wonderful man! reared by Providence to guide the destinies of his country, and to exhibit the perfection and moral grandeur of human nature. I am not clear, sir, but it was necessary to the perfection of his character that he was thus condemned by this resolution.

If this resolution had not been passed, his masterly answer, one of the proudest monuments of his fame, would never have been seen. Like the oak, which has withstood the blasts for years, it must endure the fury of the whirlwind and the tempest, be one it can become the king of the forest. That answer, sir, like its author, was doomed to undergo the most violent attacks, the foulest aspersions. It was even denied a place on the files of the Senate, and like its author, too, it gained admiration wherever it was known. I said, sir, that Andrew Jackson stood alone. Where can you find his fellow? Look among the sovereigns of the earth. Look where you will, and you look in vain. Go to the records of the mighty dead, and where will you find his equal? Shall such a man stand condemned on the records of this honorable Senate, unaccused and unheard? "Tell it not in Gath!"

Again, sir, I would expunge this resolution lest it should be considered as precedent. If, sir, it is permitted to remain, at some future period of great excitement, when passions and prejudice shall triumph over reason, and the Constitution shall be made to subserve the purposes of disappointed ambition—when a President has powerful men General Jackson, shall be in the way of Presidential aspirants, we may see the same scene of March 1834, acted over again; and the power of the Chief Magistrate broken, and that branch of the Government prostrated at the feet of its. Then, sir, I will not our Government be ended, and the hope of civil liberty be extinguished. Far, far

Another reason, sir, why I would expunge this resolution is, because it violates a vital principle in our Constitution, and destroys one of the dearest and most important rights we possess, viz: a full, fair, and impartial trial; and because, sir, the Chief Magistrate of this nation—one who has done more for it than any man living—yes, the very man "who has filled the measure of his country's glory,"—has unjustly and unconstitutionally been deprived of this privilege, one to which the meanest citizen is entitled, and has been condemned without a hearing. And again, sir, I would blot out this resolution from our records because the American people have pronounced judgment against it; and not only they, but the people of both continents have done it. Nor is this all, sir. The resolution is derogatory to the character and dignity of our Government, and violates the great principles of our national compact. A duty we owe ourselves as a co-ordinate branch of the Government, requires that we should not suffer this resolution to remain on our records. It is an open, bold and unprecedented attack made by this branch of our Government upon the Chief Executive; an act which, had it been successful, must have prostrated our constitution, destroyed our Government, and laid our institutions of civil and religious liberty in the dust. Then, sir, let me say to this honorable body, as we value these rights and privileges, as we respect our own characters, and the high reputation of this Senate—let us at once blot out this stain.

Mr. President, one word in reply to the honorable gentleman last up, (Mr. Crittenden,) and I will weary your patience no longer. Sir, we were yesterday admonished of our duties, and the sacredness of our oaths, and cautioned not to violate them in expunging this resolution. I trust, sir, that we are not unmindful of the obligations, resting upon us, nor indifferent to the manner in which we perform them. And in turn, let me, sir, remind that honorable Senator and those who act with him, that the same Constitution which he would so carefully guard, expressly provides that the House of Representatives shall have the sole power of impeachment. And let me further remind him and his friends, that the House of Representatives never have impeached President Jackson, and yet he stands condemned by this resolution. Where, then, is the Constitution, and where the sanctity of oaths, by which it is guarded? Again sir, the honorable gentleman more than intimated that the vindictors of the President's character were his worshippers. Sir, it is too late to begin now to worship him; it is more natural to worship the rising sun; and appearances indicate that the honorable gentleman and his friends have already selected their object of adoration. As to myself, sir, I have no inclination to worship Gen. Jackson. I have no personal acquaintance with him; have seen him once, and once only, and for five minutes. I have never received any appointment or favor from him, and never expect so to do; yet I esteem him one of the greatest of men, and part of patriots; and rely upon it that the page of history which shall record his deeds, will be read with enthusiasm through all coming time. His contemporaries will go down to posterity with him. His roditors will gather lustre from his fame, and his revilers, though they may not bask in the effulgence of this great luminary, yet they may continue to be seen as spots upon it, like the spots which bedim the great orb of day.

Mr. President, I am thankful that I have had an opportunity of expressing the views and feelings of my constituents together with my own, and notwithstanding the awful consequences predicted by the gentlemen opposed to expunging this resolution, yet, sir, I have none of those fears; none at all; but shall esteem it the best act, and one of the happiest days of my life, should I be permitted to record my name in favor of expunging this resolution.

If Mr. President, in my remarks submitted, I have deviated in any thing from the ordinary course of discussion, I trust some apology will be found in the novelty of my situation; never having been a member of any Legislature until I had the honor of a seat in this body.

Surplus Revenue.—It has been remarked by many writers that the national debt of Great Britain is a blessing to that nation—by producing a mutual dependence between the government and the people—by placing it beyond the power of either to act independently of the other, without suffering certain consequences which both are desirous of avoiding—the loss of debt on the one hand, and the loss of credit on the other. If a national debt—when the debts are due to the subjects of the government—is a blessing—what must a national government—wealthy by a cause? Just in proportion to the amount of wealth that is politically in the hands of government, will it be in the power of the chiefs of government to trample upon the laws, constitution and rights of the people, and oppress them. It would only be necessary for the chief of government to have command of the currency of the nation (or obtain such they need to possess but a small portion of the whole wealth of the country) in order to rule the nation from Maine to Georgia with absolute and irresistible power. Yet under the

present circumstances of the national revenue, we are rapidly approaching to this crisis. In the first place, the treasury of government is becoming very rapidly filled by the natural accumulation of revenue from the sale of public lands and the profits of the tariff. In the second place the capital thus collected is constantly augmenting in the ratio of compound interest—so that in a few years, according to the present rate of increase, the interest itself will far exceed the expenses of government. The national wealth or rather the surplus revenue will thus go on increasing by a geometrical progression, until, unless some immediate remedy is adopted, the whole of the wealth of the country will be at the mercy and at the disposal of the chief officers of government. Vain, at that time, will be all the efforts of the people to preserve their rights. The whole country being sold to government—the people of all classes will be nothing but serfs—and they cannot help themselves, for their very livelihood will depend on their obedience. All the talent in the nation will be under the pay of government, and the people will in this manner be ruled even while they think they are ruling. All the States, being indebted to the general government for the repeated loans which they had received as their share of the surplus revenue, will be interested, in order to save themselves from bankruptcy, to join in all the measures of the general administration. The States will thus be rendered the mere vassals of the general government; and all our political power will be swallowed up in one great mammoth despotism—whose power is derived from wealth. In this way, by the accumulation of surplus revenue, and by its distribution among the States—as a loan—this country may owe its final ruin.—[A. Post.]

OFFICE SEEKERS vs. OFFICE HOLDERS.

It cannot be expected that these two classes of men can have much good feeling towards each other, especially if the ins are mercenary and suspicious, and the outs are clamorous and unprincipled. Office holders are sometimes bad enough in all conscience, and deserve to have the rotative principle applied to them by the people; but deliver us from restless, scheming, self inflated, meddling, disorganizing and unhappy office seekers. In the long catalogue of grievances which every community are called upon to endure, we know of none to be compared to the inveterate office seeker, who fastens upon society like consumption upon its victim. At times he will flatter, then threaten, and if neither cajolery nor intimidation will answer his purpose, intrigues, plots, chicanery and gum-games come in play. Misrepresentation, fraud and abuse are the artifices of the office seeker, while at the same time he is the most radical democrat, and flaming patriot in the world. Your office seeker will promise to reform a thousand abuses, rectify all mistakes, cut off all extraneous, purely society, and do every thing else but work miracles. In the pursuit of his supreme object of worship, Office, this character toments like a bottle of small beer, a good representation of himself; and the croaker, busy body and mischief maker, contrives by hook or by crook to disturb the peace of every one about him, and embroil a whole community—Friend is arrayed against friend, one section and interest against another, prejudices and ill will are provoked and dissensions fostered, for the very laudable, disinterested, and patriotic purpose of getting an office which the people choose to fill in a quiet manner in their own way, with a candidate of their own selection. Reader, make your own application of this subject.

Desperation. An unsuccessful attempt has been made to rob the Bank of France. Two men placed themselves in a passage through which the cashiers passed with the specie or bank notes necessary for the day's transactions. They seized upon one of these officers, who had 200,000 francs in notes, enclosed in a box and attempted to put a pitch plaster over his mouth. He contrived, however, to give an alarm, upon which the robbers attempted to escape. One of them succeeded—the other was arrested and brought into one of the offices, where, while the officers were searching him, he seized a pistol and blew out his own brains.

The Legislature of New Hampshire adjourned on the 14th inst. An act was passed for the suppression of bank notes of a less denomination than \$3.

LEXINGTON, (Ky.) Jan. 6.—Gen. Santa Anna left this city yesterday, on his way to Washington city, accompanied by Col. Almonte, of the Mexican army, and Colonels Hookley and Patton of the Texas Army.

By the last accounts from the West, the Ohio and Missouri rivers were both so full of ice as entirely to interrupt navigation. The Cincinnati Gazette of the 7th inst. says, "The pork business is in great activity, the price ranging from six to seven dollars per hundred, according to quality. Flour rates at about \$7.50 per barrel." Butter is quoted in the St. Louis papers at 50 cents a pound.

From the Boston Statesman.

Washington City, D. C., Jan. 14.—I had the good fortune yesterday to witness one of the grandest displays of eloquence that has been known to the Senate, since the great battle between Webster and Haynes. The subject under discussion was Mr. Benton's Expunging Resolution. Mr. Dana, of Maine, opened the debate, in a very modest and sensible support of the resolutions, and in a well directed argument, in answer to Mr. Crittenden, of Kentucky. He was succeeded by the fair-haired Preston, of South Carolina, who spoke in reply to Mr. Dana, and also at large upon various topics which he chose to consider as connected with that expression of his feelings which he could not subdue. He disclaimed argument, and gave vent, to what, in mock gravity, he dignified as his emotions. His language was pretty, his allusions somewhat classic, and a little sarcastic and tantalizing withal, but his manner was exaggerated and palpably theatrical. In the course of his exhibition he thought proper to denounce the proceeding as the funeral procession of the Constitution, and the majority of the Senate as hangmen; talked of the executive throne, idolatry, incense and purifying fire; in his fertile imagination, he hung the Senate Chamber in black, filled his own breast with gloom and despondency, and made all his friends mourners, *volens volens*. In addition to all this solemn mockery, he thought it prudent to pretend to weep over the melancholy position of his native State, Virginia, and presumed to lament that she had so degraded as to humiliate and debase herself at the feet of Executive power! He seemed to obtain, indeed, the sympathy of his friends, and they tried to keep up the solemn mockery, by distorting their faces into the images of black despair. But this tragic farce produced different sensations in the minds of those who have stood by the venerable President through this disgraceful proceeding. Even I, a mere "looker on in Venice," felt my bosom glowing with sentiments of the utmost indignation. I felt that the moment demanded some power present that should annihilate, at one blow, at one scorching application, the whole effect of this insulting and exaggerated display. O that I could have had the opportunity and possessed the power! But where was it?

The gentleman from Virginia, the clear, the earnest, the pertinent, the forcible, the quick and sagacious Rives was upon the floor in an instant, and in one continued, fluent, powerful burst of feeling and honest indignation dissipated the illusions of oratorical display, and tore away and utterly demolished the funeral tinsel which had been thrown over the subject, and exposed it in the naked, palpable light of a just, legal and constitutional transaction. He was not to be intimidated by denunciation, nor would he look to the gentleman from South Carolina for an interpretation of Virginia principles, for if they were subject to the measures of a nullifier, he renounced them forever. He could inform gentlemen that he too had a conscience, and felt a duty, which every just consideration urged him to discharge, fearlessly, in voting to expunge the obnoxious resolution from the Journal of the Senate. He hoped his friends would not permit themselves to be ridden over and crushed by aristocratic arrogance and denunciations, coming from the overshadowing power of the monied interest; he did not believe that society should be horizontally, the upper portion oppressing the lower, but the divisions are vertical, and men stand side by side, parallel with each other, and upon the footing of equal rights and equal privileges. He was unwillingly forced into this debate in self-defence and in vindication of Virginia. He had intended to be silent upon the subject, because enough had been said, argument was exhausted, entirely exhausted. But he was compelled to assert that, however unworthy the representative might be, Virginia, the ancient Commonwealth and the mother of Men, was Virginia still, and he stood up to attest to the rectitude of her course and principles, past and present.

Mr. Preston immediately rejoined, in a manner, to be sure, tuntable. Though very mild he was tantalizing in the extreme. But he was obliged to resort to his usual *forte*, words, imagery, action and pompous exaggeration. He said Mr. Rives's passion had given birth to a rabble of ideas, and like the ink-fish, he had spouted around him the disagreeable atmosphere created by recollections of the Bank, and carrying the war into Africa, he had pressed into service the "raw head and bloody bones of nullification." Did not that rattle in Mr. Preston's breast? But he would not try to convince—the argument, he agreed, was exhausted, and he had uttered feelings which he had tried to school and suppress. Proceed, gentlemen.—This is hangman's day. Proceed to your office; do execution—the executioners are here the awful moment has arrived. Execute what? O the poor Constitution. But draw your black lines; engrave them on the wall, and there, like the handwriting at Belshazzar's feast, let them frown upon every attempt to oppose executive usurpation. Tear out the leaves; carry them to your idol; show him the expunging lines, burn the records, and let the incense greet his nostrils. Will gentlemen, like eastern idolaters, sacrifice themselves? Oh, no; immolate the Constitution. Proceed. Do execution; the sacrifice is ready—posterity will remember ye!

Mr. Rives again took the floor. He had evidently mastered his excited feelings, which no doubt every friend of the administration present shared with him, and proceeded to his point with a fluency, clearness, directness and force, that seemed perfectly irresistible. He presented to the Senate and its crowded and almost breathless lobbies and galleries, the most perfect and beautiful specimen of genuine, statesman-

like eloquence, that my mind can possibly conceive of. To say the least, I cannot wish to see a better. The views were so comprehensive, the tone so elevated, the feeling and expression so honest and pure, so direct and distinct, the manner so unexceptionable, the force and reasoning so irresistible, that my own wishes were completely satisfied; for it surpassed my anticipations, and I felt proud to glory in such a triumph of truth over exaggeration, of principle over faction. I rejoiced that it had been my good fortune to see William C. Rives of Virginia, the honest supporter of the Constitution, and sincere friend of the people, stand in that elevated and proud position, realizing to me

The "Hampton, struggling in his country's cause, The first and foremost to obey the law."

The manner in which he retorted upon his antagonist for the sarcasm intended by the reference to the Bank, was admirable and justly severe. He was accused of introducing this stalking horse, as if to frighten children! "Sir," said Mr. R., "if gentlemen will study the history of events which have led to this present exhibition, and examine the subject, in every aspect they will find the Bank of the United States is in truth and reality one of the most important of the dramatic personae in this farcical tragedy which the gentleman's exaggerated fancy has conjured to our view." And so indeed it will appear when recurrence is had to the ultimate cause of these proceedings, to wit: the removal of the deposits.

But it is in vain to dwell upon this noble effort—I cannot do it justice. No published account of the scene can describe it, or impart one half of the interest it absorbed. Those who witnessed it will remember, with lively satisfaction, a moment calculated to render one proud of his nature, as it exhibited the grandeur and power of the human intellect, in its fullest excellence, and employed in the noblest cause.—Mr. Rives is one of the strongest men in the Senate. He is about forty-five years of age, of small stature and of a light but firm frame.—He is quick, but easy and dignified in his movements, and very industrious. His face seems studious and thoughtful; his eyes are dark, and his eye-brows black and dense, and so constantly knit that one might suppose that he possessed a sour temper. Far from it. He is personally invulnerable. He possesses a most amiable and benevolent heart, is perfectly courteous and respectful in debate, and his manners are most urbane and gentlemanly. He has an acute and sagacious mind—is honest and sincere in his conduct—a safe politician and a most useful man. His power and practice of concentrating all his faculties upon the point in discussion, furnishes an eminent contrast to many politicians who are addicted to wandering into every thing else but the subject matter of debate.—Unless Mr. R. meets some untoward fate, I predict for him the highest honors of the Republic.

Twenty-Fourth Congress, SECOND SESSION.

Thursday, Jan. 26.—In the Senate, among other petitions presented was that of Gad Hampton, by Mr. Dana, of Maine.

The land bill was further considered, and postponed to to-morrow.

The bill designating and limiting the funds receivable for dues by the United States, was taken up, and ordered to be engrossed. This bill prohibits the reception of bills on banks which issue bills of a less denomination than five and ten dollars.

In the House, a message was received from the President of the United States, with accompanying documents, in relation to the condition of the relations between the United States and Mexico, and with certain information in relation to the condition of Texas. It was moved they be referred and printed. Mr. Boyd moved to amend the motion by adding instructions to the said committee to report a resolution acknowledging the independence of Texas. Pending this question the House adjourned.

Friday, Jan. 27.—In the Senate, Mr. Wright introduced a bill altering and amending the bills imposing duties on imports. Mr. Wright stated that the amount to be reduced by this bill was about two millions and a half, of which the abolition of the silk duty alone would be a reduction of half a million. He laid a statement on the table in which the rates of duties were based. The bill was read twice and made the special order of the day for Thursday next.

The bill designating and limiting the funds receivable for the revenue of the United States, was taken up on the question of its passage, when Mr. Benton opposed it in a speech of considerable length.

In the House. After the usual morning business, the unfinished business of yesterday, being the bill introduced by Mr. Bell, to secure the freedom of elections came up. Mr. B. had given way to several gentlemen who wished to bring in reports from committees. Mr. Jarvis of Maine, then rose and drew the attention of the House to a bill which he wished to introduce, for the enlistment of boys into the naval service of the United States. Mr. Bell rejected. Mr. Jarvis was surprised that the gentleman from Tennessee should object. That gentleman had submitted a proposition which he must know could lead to no public good, and only to the gratification of his own private feelings.

Mr. Bell, IT IS FALSE.

The Chair, "Order! order!" "Order! order!" was echoed from different parts of the House. Deep silence prevailed for some minutes, after which Mr. Jarvis said he had no answer to make none.

Mr. Mercer, of Va. appealed to Mr. Jarvis to repeat the words he had used, so that the House might judge of the extent of the provo-

cation, as well as the retort. Mr. Jarvis would not retract nor say one word until the language which had been applied to him should be withdrawn. After some minutes silence, Mr. Mercer offered a resolution that the gentleman from Tennessee and the gentleman from Maine having used warm words, should be called upon mutually to give pledges to the House, that they would not prosecute any quarrel growing out of them. Before the question was announced on this resolution, several members rose successively, and gave explanations of the language which they understood Mr. Jarvis to have used. Mr. Bell said that the language used by the gentleman from Maine, was of a character that produced the impression on his mind that it was intended to impeach his motives and to insult him, and that, under that impression, he had used the strongest language to repel it. He said, that if the gentleman would declaim any intention to impeach his motives, or insult him, he would withdraw what he had said by way of retort.

Mr. Jarvis made no answer.

Several members successively addressed the House and appealed to Mr. Jarvis to withdraw or explain his language.

In reply to a call upon Mr. Bell, Mr. Peyton said that his colleague had voluntarily stated that if the gentleman from Maine did not intend to impeach his motives or insult him, he would very willingly withdraw all he had said by way of retort, and that he (Mr. P.) now repeated that statement on behalf of his colleague.

Mr. Bynum and other gentlemen, called on Mr. Bell to make a withdrawal of the language he had used, so as to permit the gentleman from Maine to make an explanation.

Mr. Peyton said that his colleague had already made a conditional withdrawal of his remarks.—He wished to know whether Mr. Bynum, or any other gentleman, was authorized by Mr. Jarvis to state that he did not intend to insult Mr. Bell? If so, Mr. Peyton continued, the matter is at an end—all the offensive remarks should be instantly withdrawn—and then the conditional withdrawal should be made unconditional.

Numerous motions were made to adjourn, but these motions were successively defeated.

After much desultory conversation, in reply to a call from Mr. Wise, Mr. Jarvis said he would make an explanation if the gentleman from Tennessee would withdraw the offensive epithets even for a time, so as to allow him to state what he did say.

Mr. Wise then said the expression was suspended for that purpose.

Mr. Jarvis said that he meant that the debate on Mr. Bell's bill could have no effect but to gratify personal feeling—but he did not intend an allusion to Mr. Bell particularly, nor to impeach his motives in any way whatever.

Mr. Wise then said that with this explanation, he thought his friend, Mr. Bell, ought to be satisfied, and he therefore withdrew the offensive language.

Saturday, Jan. 28.—In the Senate, As soon as the Journal had been read,

Mr. Van Buren rose, and took leave of the Senate, in the following address.

SENATORS

The period is at hand which is to terminate the official relation that has existed between us, and I have probably never to return it—a body with which I have been long connected, where some remain whom I found here 15 years ago, and where, in the progress of public duties, personal associations have arisen never to be forgotten. From such scenes I cannot retire without emotion.

Nor can I give to the Senate the usual opportunity of choosing another to preside for a time over their deliberations without referring to the manner in which I have endeavored to discharge a gratifying and honorable trust connected with the office to which my country called me.

Entering upon it with unaffected diffidence, well knowing how little my studies had been directed to its peculiar duties, I was yet strengthened by the determination then expressed so to discharge the authority with which I was invested, as "best to protect the rights, to respect the feelings, and to guard the reputation of all who would be affected by its exercise." I was sure, that if successful in this, I should be pardoned for errors which I would hardly expect to avoid.

In the interval that has since elapsed it has been our lot in this Assembly to pass through scenes of unusual excitement. The intense interest in absorbing topics which has pervaded our whole community could not be witheld in these walls. The warmth of political parties, natural in such times, the unguarded order of sudden debate, and the collisions seldom to be separated from the valuable privilege of free discussion, have not infrequently mingled with the more tranquil tenor of ordinary legislation. I cannot hope that, in emergencies like these, I have always been so fortunate as to satisfy every one around me. Yet I permit myself to think that the extent to which my decisions have been approved by the Senate, is some evidence that my efforts justly to administer their rules have not been vain; and I conscientiously cherish the conviction that on no occasion have I departed from my early resolution, or been regardless of what was due to the rights or the feelings of the members of this body.

Though I may henceforth be separated from the Senate, I can never cease to revert with particular interest to my long connexion with it. In every situation in my future life, I shall remember with a just pride, the evidences of approbation and confidence which I have received; and as an American citizen devotedly attached to the institutions of my country, I must always regard with becoming and sincere respect a

branch of our government entrusted with such extensive powers, and designed by our forefathers to accomplish such important results.

Indulging an ardent wish that every success may await you in performing the exalted and honorable duties of your public trust, and offering my warmest prayers that prosperity and happiness may be constant attendants upon each of you along the future paths of life, I respectfully bid you farewell.

Mr. Van Buren then retired, and the Senate proceeded to ballot for a President pro-tem.—The ballots being deposited there appeared to be 38 votes given, 19 necessary to a choice, of which Mr. King, of Ala. had 27, Mr. Southard 7, and the others were scattering. Mr. King of Alabama, was therefore declared to be elected President pro-tem, and he was conducted to the Chair by Mr. Benton.

The President pro-tem then addressed the Senate.

The following resolution offered by Mr. Benton, was introduced and adopted.

Resolved, That the Senate cordially reciprocate the sentiments of personal kindness expressed by the Vice President towards the members of this body, on taking leave of them, and that the thanks of the Senate be presented to Martin Van Buren, Vice President of the United States, in testimony of the impartiality, dignity and ability, with which he has presided over their deliberations, and of their entire approbation of his conduct in the discharge of the arduous and important duties assigned him as President of the Senate.

The bill prescribing and circulating the funds receivable for the revenue of the U. S. was farther considered.

OXFORD DEMOCRAT.

Paris, February 7, 1837.

A very large meeting has been held in Portland, to take into consideration the present high price of flour and the causes that have produced it. From the statements made it would appear, that the supply now on hand, which is amply sufficient to satisfy the wants of the community, is held back by speculators in N. Y., who are the owners, for the purpose of raising the price to about 100 per cent. above what it cost them. A just and honest indignation is manifested by the citizens of Portland towards those who are thus striving to take bread from the mouths of the poor for the purpose of putting money in their own pockets. The meeting passed resolutions to abstain from the use of flour until the price shall be reduced to \$10 per barrel. They have raised a committee to notify the owners in New York that unless the price is reduced the flour had better be shipped.

In Marblehead, we are informed that similar proceedings have been had, and the people there have resolved to abstain from using flour until the price is reduced to \$8 per barrel.

A similar feeling is manifesting itself throughout the country on this subject, and a determination expressed, to abstain from the use of flour until there is a considerable reduction in the price.

If these resolutions are persevered in, the object in view will, we have no doubt, be speedily accomplished. The rage for speculation which for a few years past has been so rife among all classes, has extended itself to all objects. But there are some things it had better not meddle with. A hungry man is obstinate and sometimes unreasonable. His patience is soon exhausted, and he is apt at times to be rash and even violent. If there is an absolute scarcity, the buyer must expect to pay a higher price for the article. But if the scarcity be a fictitious one, produced by monopoly, and if the necessities of life are withheld from the market for the purpose of extorting extravagant profits from the consumer, those who deal thus must expect the indignation of the community. We have heard but a single voice in favor of the monopolists and that is the Augusta Age, which appears to be concerned that the owners of the flour should lose money if compelled to sell at the price fixed by the meeting at Portland. It therefore suggests that in order to be consistent, the meeting ought, when there is a large supply and the price low, to raise a subscription to indemnify the seller against loss. Now we do not understand the wishes of the citizens of Portland or any other place to be, that the owners of flour should sell at such prices as will cause them a loss, but on the contrary are willing that they should receive a handsome profit. And if accounts are true they would do this in selling at \$10. Public sentiment is too strong on this subject to be successfully resisted for any length of time. The mechanic or the laborer (and we might add the professional man) but no body pines away, wages remain the same or are but slightly increased, he is compelled to pay double for all that he buys. This state of things cannot last long and ought not to. There must be a corresponding rise in the price of labor or a fall in the price of the necessities of life. Something must be done and that shortly.

We stated last week that the whole road from this place to Fryburg was indicted. We have since been informed that there was an exception of the Town of Sweden, the roads in that town having been well and actually broken out, by the use of the triangle.

We have carefully looked over the proceedings of the Legislature of this State for the last week, but do not find anything in them which would be of special interest to our readers. Two members claiming a seat from Houlton district have both been rejected by the House. The seat of government question, does not appear to be yet finally disposed of, and we are that those opposed to a removal will, evade submitting the question to the people.

In Congress, we notice little of general interest except the passage of the expunging resolution and the admission of Michigan. The former has exacerbated the whig party beyond all bounds of moderation. They cannot find language bad enough in which to express the malignity of their feelings. They denounce and abuse in the most unmeasured terms, the Senators who voted for the resolution and the people who elected them. They are striving hard to render themselves ridiculous as well as contemptible.

We have it as that no reduction of the Tariff will be effected this session.

Joseph G. Cole, recently appointed Clerk of the Courts in this County, was qualified and entered upon the duties of his office yesterday, February 6, 1837.

A CALUMNIATOR EXPOSED.

We understand it has been satisfactorily ascertained that H. W. Paine, a member of the House of Representatives from Hallowell, is the author of the base, lying, and infamous attack upon the Speaker which appeared in the Gazette of the 18th ult. Mr. Paine may consider himself more indebted to the forbearance of the House, than to his own acts, that he is not expelled from a body to which, (if he is the writer of that letter,) he has proved himself a disgrace.

We lament having occasion to speak thus harshly of any individual—but we owe a duty to our political friends, from the prompt performance of which it does not become us to shrink.—Portland Argus.

From a Correspondent of the Evening Post.

Washington, Jan. 17th, 1837.

At a late hour last evening the Senate reversed the decree of the Panic Senate against the patriot Jackson, passing Mr. Benton's expunging resolution by a vote of 24 to 19. Judge Parker, of Virginia, and Mr. King of Georgia, were sick and absent. The proceeding was the occasion of righteously retribution, were interrupted by some silly people in the gallery, who hissed on the announcement of the vote. They forgot that the day has gone by for the saving of the capital by the cracking or hissing of geese.

One of the "Bank Ruffians," as Colonel Benton called the disturbers of this solemn tribunal, was brought to the bar, exposed to the indignant gaze of the spectators, and then suffered to go to those who probably sent him here.

One more triumph is to come. TANEY, that other martyr to Senatorial vengeance for republican integrity, will ere long sit in the midst of full bench of the Supreme Court, in the supremacy of intellect and acquirements, robed in the mantle of the illustrious Marshall, receiving the *si vis robis placet* of Daniel Webster, who argues constitutional causes. Then, wisdom and meekness, joined to integrity, will be looked up to in the person of Roger B. Taney as the present and presiding genius of the highest court in which justice is administered to a grateful people; then, my word for it, this people will rejoice in the firmness of Andrew Jackson, and in the wisdom of that Senate who confirmed his nomination of Chief Justice Roger B. Taney.

The following account, says the Eastern Argus, of a scene which took place before Mr. Garland's investigating committee, on the 23d ult., is going the rounds:—

"At the close of a series of sifting questions, Mr. Peyton inquired if he [Mr. Whitney] had not applied for, and been refused his present appointment by Mr. Secretary Taney. He refused to answer this, as well as the other questions, and remarked that he would not answer that member, who had already stated that to the House, which he, Mr. Whitney, had subsequently declared to be a falsehood, the proof of which he then and now challenged. Mr. Peyton, irritated, drew a pistol, and said he was a senator, but was prevented from treating Whitney with violence. The committee ordered Whitney to withdraw; he did so. After which, the committee passed a unanimous vote of censure upon him. He was then recalled, and made a humble apology, expressed his regret for having insulted them, &c. Mr. Peyton told him to behave himself in future, for on the slightest insult further, he would shoot him on the spot."

Ten to one Peyton is a great coward—we never knew a man who was not, carry a backload of pistols and dinks. We dare say that Whitney had spit in his face, he would have dared nothing but bluster—he would not have dared to draw the pistol he was so ready to draw.

Presidential Election.—The official canvass of the popular votes at the late Presidential election has been received from all the States.—Mr. Van Buren's popular vote is greater by 54,415, than that given to any previous candidate for the Presidency. In 1832, Gen. Jackson's aggregate vote was 707,217; Mr. Van Buren's now is 761,682. It is greater also by 168,120 than the aggregate vote for him as Vice President in 1832.—Age.

Mr. Wise's resolution was adopted yesterday by the House of Representatives—yeas 165, nays 9. The opposition tried to escape from it. The previous question was demanded. Nearly all the opposition voted against that motion. Mr. Vanderpoel made some excellent remarks on the occasion. Wise complained that there would not be time for the inquiry—and yet he was absent for weeks, his resolution pending, and the consideration of it postponed in consequence of his absence. More of this anon.—Globe.

Trial of Stover Rines et als. for Conspiracy.—We learn by a Bulletin from Jerome's News Room that Charles Burlingham, John T. Howard, Stover Rines, William Turner, L. Bowers, and Mary Ann Rines and Sarah Lane spinners, all of Orono, have been indicted for a conspiracy against Julia W. Rines, wife of Stover Rines, one of the defendants, and are now undergoing their trial before the Court of Common Pleas at Bangor. The act is alleged to have been committed in December last. It appears from the indictment that Rines wished to get divorced from his wife in order to marry some other person, whose name does not yet appear. To effect this purpose it was agreed among the defendants to charge the complainant with having committed the crime of adultery with Burlingham. This crime was de-

clared to have taken place.

The case was called on for the Jury empanelled. Counsel for the defence, John Appleton Esq., Attorney. It was aggravated and witnessed.—Port. Cour.

The disposition consider the most come before our eyes. We have in discharge of a democratic propriations of the whole.

In the disposal of our population the "rich and the poor" learn "that however they are allowed are assessed on the articles upon which they wish to be preserved in the quality in collection out to perfect equality.

The projects come of what the Whigs honestly to call the various as the investment in self interest can be commingling of light outlay will swarm merous as the plague will prove equally sick with every day or than will land States is filled.

For the stand we received denunciations and professions we have been held opposed to Internal plan which shall a resources of our State. The Internal Improvement having avowed any interests of the State State should keep come pariah in a also see clearly great Rail Road from B objection to their own responsibility. speed, and hearty which would accede of their desires.

dated profits to in from every right side is to be taken into stand backer for in a day to the people no idea of "a king" We would place in which should direct screen itself from a We oppose all such own such works etc.

We have ever should come for recovery, taken from the posts, the original of such plan would of its accomplishment money to the people possible—or if it divisions to which it of little benefit. accumulation, but to be regarded. Despite the simple et and would lam

Now we believe tribution can give, making the people money. All spite increase present returning this accumulation have immediate embarrassment of speculators would son with the great accustomed. But smallest favors are knowledgeable. They by unjust levy, equal from those who equal distribution her all, and those be injured, though aided by receiving drawn from their

Those who have national improvement and wish to back fall will vilify and de distribution. But ber of "small potent army, will annihilated by our vor.

We still adhere posed plan for exp on works of Internal section of rank Fe from the masses b by the General or mal Improvements inal design of means, may, for but the result is Public Expenditure ministration of Jot really perfected,

